

Deana Burn
Department of Planning, Industry and Environment
4PSQ Level 17, 12 Darcy Street, Parramatta NSW 2150

10/06/2021

Response to Submission – Chullora Materials Recycling Facility (SSD 10401)

Dear Ms Burn,

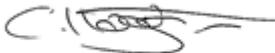
This letter responds to the items raised in the *Chullora Materials Recovery Facility (SSD-10401) Response to Submissions* request, issued on 29 September 2020, and further comments raised in an additional request on 30 September 2020.

Arcadis Australia (on behalf of the Applicant – SUEZ Recycling & Recovery Pty Ltd) have prepared a Response to Submissions (RtS) Report to address submissions made by Government agencies, organisations and members of the community. Additional information has also been provided to address the Department's comments which has been attached to this letter in Attachment A.

Consultation with relevant stakeholders will continue through detailed design and construction phases of the Proposal. Along with on-going communications with Government agencies, the Applicant will maintain the dedicated website and information phone line for the Proposal, which were established during the preparation of the EIS.

I trust that this letter and its attachments provided the information required at this time. Please do not hesitate to contact myself if you have any queries.

Yours sincerely



Claire Hodgson
Principal Environmental Consultant
+61 431 384 875

Attachment A: Response to items raised

Table 1 provides a response to items raised by the Department of Planning, Industry and Environment in their letter dated 24 September 2020 as well as further email correspondence dated 30 September 2020.

Table 1 Response to Department of Planning, Industry and Environment

Aspect	Issue	Response	Reference
General	As stated in previous correspondence dated 6 July 2020, the SSD application is contingent on flood mitigation and site establishment works being approved and completed before the proposed development can be constructed on the site. A development application (DA 366/2020) was lodged with the City of Canterbury-Bankstown Council (Council) in May 2020 for these works and Council is currently assessing the application. The Department requests the response to submissions report for the SSD application be submitted once DA 366/2020 has been determined, so any relevant outcomes of that DA are appropriately addressed.	Development Application (DA) 366/2020 was submitted to Council on 12 May 2020. Council provided a request for information to SUEZ on 4 September to which SUEZ provided a response and further information throughout late 2020. DA-366/2020 was determined on 2 June 2021.	N/A
	Note that under clause 113(7) of the <i>Environmental Planning and Assessment Regulation 2000</i> , the days occurring between the date of this letter and the date on which your response to submissions received are not included in the deemed refusal period.	Noted.	N/A
	Provide a list of historical development applications associated with the Proposal site	<p>Section 2.3.1 of the EIS provides a detailed list of the development applications associated with the Chullora RRP site, including the operation of the former Chullora Resource Recovery Centre.</p> <p>The Chullora RRP site operated as the previous Chullora RRC until 2017. The previous Chullora RRC hosted a range of waste infrastructure over time including:</p> <ul style="list-style-type: none"> • A putrescible waste transfer station and green waste platform (DA 897/1994) with approval to process up to 66,000 tpa of putrescible waste 	Section 2.3.1 of the EIS

Aspect	Issue	Response	Reference																				
		<ul style="list-style-type: none"> • A materials recovery facility (DA 287/1996) with approval to recycle up to 100,000 tpa of recyclable material • A glass processing facility (DA 973/2002) with approval to process up to 40,000 tpa of glass 																					
Operations	Provide estimated quantities (tpa) of outputs including glass, aluminium, steel and residuals that are likely to be generated as recovered waste/contaminants.	<p>The quantities of individual commodity outputs would vary based on the composition of incoming waste which would be subject to external factors. Indicative output quantities for each output commodity are provided below.</p> <table border="1" data-bbox="1128 557 1834 1335"> <thead> <tr> <th data-bbox="1128 557 1480 655">Commodity</th> <th data-bbox="1480 557 1834 655">Indicative annual output (tonnes)¹</th> </tr> </thead> <tbody> <tr> <td data-bbox="1128 655 1480 778">Oversized corrugated cardboard (OCC) and old newspaper (ONP)</td> <td data-bbox="1480 655 1834 778">57,000</td> </tr> <tr> <td data-bbox="1128 778 1480 842">Mixed paper</td> <td data-bbox="1480 778 1834 842">27,000</td> </tr> <tr> <td data-bbox="1128 842 1480 906">Steel</td> <td data-bbox="1480 842 1834 906">4,000</td> </tr> <tr> <td data-bbox="1128 906 1480 970">Aluminium</td> <td data-bbox="1480 906 1834 970">2,000</td> </tr> <tr> <td data-bbox="1128 970 1480 1059">High-density polyethylene (HDPE) natural</td> <td data-bbox="1480 970 1834 1059">500</td> </tr> <tr> <td data-bbox="1128 1059 1480 1123">HDPE colour</td> <td data-bbox="1480 1059 1834 1123">3,000</td> </tr> <tr> <td data-bbox="1128 1123 1480 1212">Polyethylene terephthalate (PET Clear)</td> <td data-bbox="1480 1123 1834 1212">3,000</td> </tr> <tr> <td data-bbox="1128 1212 1480 1276">Mixed plastics</td> <td data-bbox="1480 1212 1834 1276">1,500</td> </tr> <tr> <td data-bbox="1128 1276 1480 1335">Glass</td> <td data-bbox="1480 1276 1834 1335">50,000</td> </tr> </tbody> </table>	Commodity	Indicative annual output (tonnes) ¹	Oversized corrugated cardboard (OCC) and old newspaper (ONP)	57,000	Mixed paper	27,000	Steel	4,000	Aluminium	2,000	High-density polyethylene (HDPE) natural	500	HDPE colour	3,000	Polyethylene terephthalate (PET Clear)	3,000	Mixed plastics	1,500	Glass	50,000	N/A
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Aspect	Issue	Response	Reference		
		<table border="1"> <tr> <td data-bbox="1122 264 1480 312">Residual</td> <td data-bbox="1480 264 1836 312">22,000</td> </tr> </table> <p data-bbox="1122 320 1836 416">¹Note, tonnes have been rounded due to their indicative nature, and therefore do not add up exactly to 172,000 tonnes. The maximum annual throughput of 172,000 tpa would not be exceeded.</p>	Residual	22,000	
Residual	22,000				
	Provide indicative plan of equipment	An indicative plan of the internal layout of plant and equipment has been provided in Attachment B to this letter. It is noted that this is considered commercial in confidence and SUEZ would request this note not be made publicly available.	Attachment B of this letter		
	Provide throughput limits for each waste stream	<p data-bbox="1122 592 1836 655">Section 4.2 of the EIS provides a summary of the indicative throughput limits of the three incoming waste streams:</p> <ul data-bbox="1122 663 1836 879" style="list-style-type: none"> • Approximately 115,000 tpa of co-mingled recyclables collected from municipal and C&I sources • Approximately 50,000 tpa of source separated paper and cardboard for baling • Approximately 7,000 tpa of external plastics for secondary processing. <p data-bbox="1122 887 1836 1070">The total throughput would not exceed 172,000 tpa, with the exact throughput from each source varying subject to market conditions in that year and different Council's recycling collection regimes. Given the market variations in incoming waste streams, SUEZ do not consider it necessary to place limits on individual waste streams.</p>	Section 4.2 of the EIS		
	Please nominate a waste storage limit for the development.	The storage capacity of the Proposal is detailed in Section 4.5.4 of the EIS. Incoming waste would be stored within the receipt area of the MRF and processed products would be stored within the product storage area of the MRF. Due to the variations in density of both incoming material and products, a low density (best case) and high density (worst-case) scenario has been considered in the assessment of the Proposal's storage capacity and is presented in Table 4-8 and Table 4-9 of the EIS.	Section 4.3.1 and 4.5.4 of the EIS		

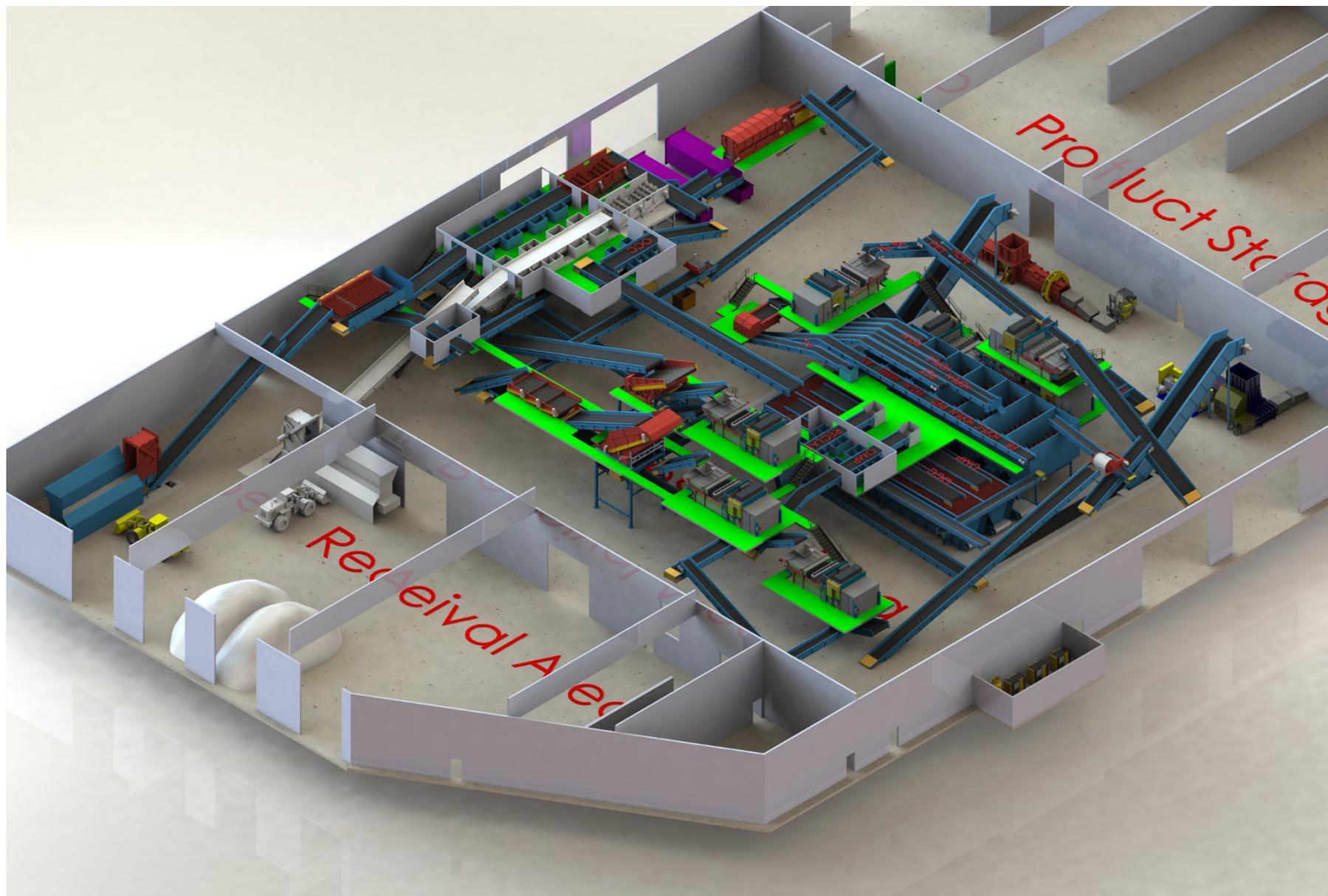
Aspect	Issue	Response	Reference
		<p>Incoming waste would be stored in one of three tipping bays. The combined capacity of the bays would equate to a total waste storage capacity of 4,150 m³ with waste stockpiled to a height of up to a maximum of four metres. Under a high-density scenario, this would equate to approximately 2,000 tonnes at any one time.</p> <p>The MRF would produce up to 12 different commodities which would be stored within product storage bays within the product storage area, prior to transportation off site. The combined storage capacity of these bays would equate to 4,940 m³. Under a high-density scenario, this would equate to approximately 3,000 tonnes at any one time.</p> <p>Therefore, the total storage capacity of the Proposal is proposed to be at most 5,000 tonnes at any one time. Storage capacity limits would be confirmed as part of the Environmental Protection Licence (EPL) application.</p>	
	<p>Confirm how the processed waste bales are loaded into the heavy vehicles.</p>	<p>Section 4.5.6 of the EIS details the process collecting waste product from the MRF product storage area. Product collection vehicles would enter the Proposal site via Muir Road and continue to the queueing lanes and entry weighbridges. Collection vehicles would either be loaded within the storage area or adjacent to the eastern or western entry/egress points under a covered awning. Curtain-siders would be loaded with baled product adjacent to the building under the covered awnings via forklifts. Front end loaders would be used to load product into truck-and-dogs and B-doubles within the product storage area. Two forklifts would also be used to manage final product bales in the product storage area.</p>	<p>Section 4.5.6 of the EIS</p>
	<p>Confirm whether the proposed MRF could accommodate an increase in processing capacity should future market demand arise.</p>	<p>Section 4.5.10 of the EIS details the processing capacity of the Proposal. The average daily tonnage per waste stream is presented in Table 4-14 of the EIS. These daily tonnages were ascertained using conservative assumptions of typical waste processing, including:</p> <ul style="list-style-type: none"> • Sixteen hour processing operations per day (typical) • Eighty-five per cent availability of plant and equipment 	<p>Section 4.5.10 of the EIS</p>

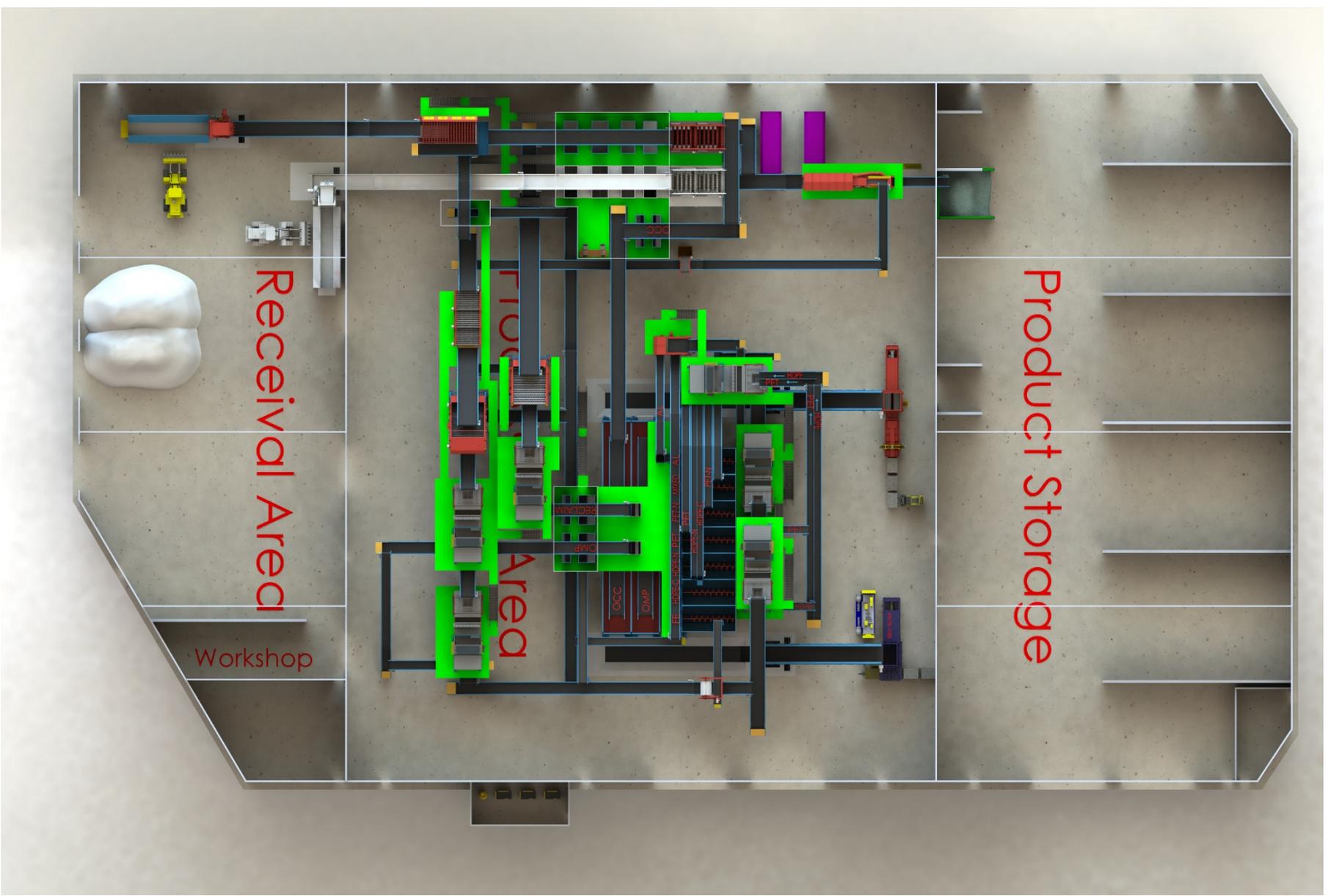
Aspect	Issue	Response	Reference
		<ul style="list-style-type: none"> Waste delivered typically on weekdays. <p>Peak day scenarios tonnages were considered to account for those days where a higher than average quantity of waste is received at the facility, equating to 130 per cent of the average day for a single day. This is based on SUEZ' review of their existing waste contracts which indicate typical one or two day operational peaks each fortnight due to kerbside collection timetabling or during holidays periods.</p> <p>Across a week, the peak processing scenario assumed that up to two days within the week would be 'peak days' with the remaining days equally an 'average day'. This represents a conservative peak week estimate as it is considered unlikely that two days within a single week would experience peak conditions, and in such weeks, it is likely that the remaining days may have a lower throughput than average. It is noted that while a typical day would consist of waste processing of 16 hours, processing operations potentially occur 24 hours per day as demand requires.</p> <p>Given the above, it is likely that the MRF could have additional processing capacity should future market demand arise. However, this future increase in throughput would be subject to detailed and robust capacity and environmental assessment to ensure peak demands can be suitably met without impacting safety requirements. Any increase in throughput would require an approval prior to commencing.</p>	
Flooding/Stormwater Management	Confirm that no further on-site detention is required following implementation of the flood detention basin covered by the Council DA 366/2020	<p>The Water Quality and Hydrology Assessment, supplied in Appendix L of the EIS, provides an assessment of the Proposal's impact on flooding in the Proposal site. These flood models were determined based on the completion of the flood mitigation works (DA 366/2020), including the provision of a 22,100 m³ flood detention basin. The flood mitigation works have been designed to provide flood immunity to the site in accordance with the Bankstown City Council's document <i>DCP2016 Part E3 Flood Risk Management and Development Engineering Standards, June 2006</i>.</p> <p>This assessment concluded that the Proposal would have no impact on existing flood conditions, existing onsite detention</p>	Appendix L (Water Quality and Hydrology Assessment) of the EIS

Aspect	Issue	Response	Reference
		<p>requirements or result in detrimental impacts on surrounding properties. In accordance with relevant engineering guidelines, it was identified that no further on-site detention would be required for the site following the flood mitigation works (DA 366/2020).</p>	
Hazards	<p>Provide written evidence to confirm the neighbouring PFD Food Services warehouse has dangerous goods storage below the SEPP 33 threshold.</p>	<p>As outlined in Section 12.2.3 of the EIS, the PFD Storage Warehouse, located to the immediate north of the Proposal site, is identified as storing dangerous goods on site. A review of the Statement of Environmental Effects (SEE) (Willowtree Planning, 2017) prepared for the PDF Storage Warehouse development confirmed that the dangerous goods stored on the site were below the threshold limits prescribed in <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> (SEPP 33).</p> <p>The SEE (Willowtree Planning, 2017) prepared for the PFD Storage Warehouse is attached to this report (Attachment C of this letter). Section 5.1.4 of this SEE outlines the dangerous goods stored at the facility, which include LPG, ammonia and corrosives. As noted, quantities of all dangerous goods stored at the facility are below the trigger levels determined by SEPP 33.</p>	<p>Section 12.2.3 of the EIS</p> <p>Attachment C of this letter</p>
General	<p>Please confirm if SUEZ intend to surrender the three development consents listed in the EIS (DA 897/1994, DA 287/1996 and DA 973/2002), or provide justification for retaining any of the consents and relevant conditions.</p> <p>Confirm if there is any demolition proposed as part of the SSD, or if all demolition works will be completed under Council DA 366/2020.</p>	<p>Once constructed, the flood mitigation work (DA 366/2020) will materially change the conditions for the site from those approved under previous consents. At the appropriate time, SUEZ will surrender the previous, redundant, development consents.</p> <p>Demolition works are not proposed as part of the SSD application. Section 2.3 of the EIS provides an overview of the flood mitigation works (DA 366/2020) that will be undertaken as part of a separate development application (DA) prior to the commencement of construction of the Proposal.</p> <p>As outlined, this DA is seeking approval from the Canterbury-Bankstown City Council for early works and site establishment across the Chullora RRP site to provide flood immunity and stormwater infrastructure. This would include demolition of structures and removal of some vegetation on site. The vegetation in the north west corner of the Chullora RRP and the landscape</p>	<p>N/A</p> <p>Section 2.3 of the EIS</p>

Aspect	Issue	Response	Reference
		<p>area in the southern portion of the Chullora RRP will not be removed as part of these works.</p> <p>The flood mitigation works will create new baseline conditions (“existing environment”) for the Proposal site. The existing environment for the Proposal site would consist of a levelled earthworks platform; raised above the 1 in 100 year flood level. As such, no demolition works would be undertaken as part of the Proposal.</p>	
	<p>Clarify if the proposal triggers the requirements of the Bankstown Development Contributions Plan 2019.</p>	<p>In accordance with the Bankstown Development Contributions Plan 2019, the development of the Proposal would trigger the requirement to pay contributions to the Council as the Proposal constitutes “<i>other development types where the proposed cost of development is more than \$100,000</i>”.</p> <p>In accordance with this Plan, the Proposal would be subject to a condition requiring the payment of a levy under section 7.12 of the EP&A Act. The levy rate applicable to the Proposal would be 1% of the cost of the development subject to final agreement between SUEZ and Council</p>	<p>N/A</p>
	<p>Provide a word version of the Management and Mitigation Measures, including any updated measures in response to the submissions.</p>	<p>A word version of the Revised Compilation of Mitigation Measures, including updated measures in response to submissions is attached.</p>	<p>N/A</p>

Attachment B: Indicative internal plant and equipment layout





Receival Area

Workshop

Area

Product Storage

FLOOR

OCC

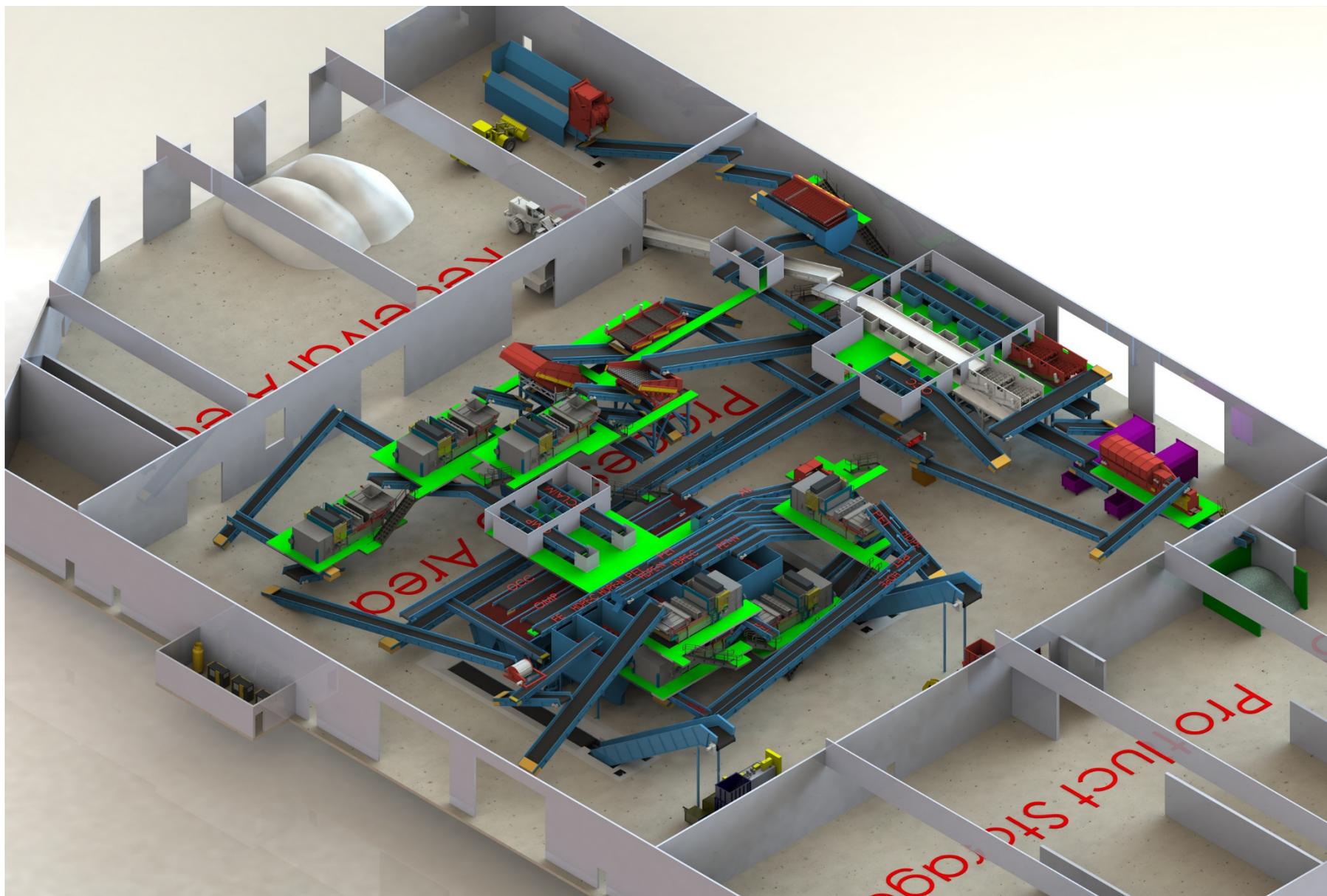
OMP

RECLAIM

OMP

FE

DRYER



Attachment C: PFD Storage Facility Statement of Environmental Effects (Willowtree, 2017)



Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility

15 Muir Road, Chullora
Lot 21 in DP 860283 and Lot 374 in DP1084113

Prepared by Willowtree Planning Pty Ltd on behalf of
Frasers Property Australia

January 2017

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

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20 January 2017	Version 1	K. Keenan	A. Cowan
23 January 2017	Version 2	K. Keenan	A. Cowan

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Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

TABLE OF CONTENTS

PART A	PRELIMINARY	4
1.1	INTRODUCTION.....	4
PART B	DEVELOPMENT & PLANNING HISTORY	5
2.1	PREVIOUS APPLICATIONS	5
PART C	SITE ANALYSIS	6
3.1	SITE LOCATION & EXISTING CHARACTERISTICS.....	6
3.2	LOCAL CONTEXT.....	8
3.3	REGIONAL CONTEXT.....	9
PART D	PROPOSED DEVELOPMENT	10
4.1	AIMS AND OBJECTIVES OF THE PROPOSAL.....	10
4.2	DESCRIPTION OF THE PROPOSAL	10
PART E	LEGISLATIVE AND POLICY FRAMEWORK	13
5.1	STATE PLANNING CONTEXT	13
5.1.1	ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979	13
5.1.2	ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000	13
5.1.3	PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997.....	13
5.1.4	STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT	14
5.2	STRATEGIC PLANNING CONTEXT	14
5.2.1	NSW 2021: A PLAN TO MAKE NSW NUMBER ONE	14
5.2.2	A PLAN FOR GROWING SYDNEY	15
5.2.3	DRAFT SOUTH DISTRICT PLAN.....	15
5.3	LOCAL PLANNING CONTEXT	16
5.3.1	BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015	16
5.4	DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS.....	19
5.5	BANKSTOWN DEVELOPMENT CONTROL PLAN 2015.....	19
5.6	CONTRIBUTIONS	21
PART F	ENVIRONMENTAL ASSESSMENT	22
6.1	CONTEXT & SETTING.....	22
6.2	TRAFFIC & TRANSPORT	22
6.3	DANGEROUS GOODS	23
6.4	AIR QUALITY	23
6.5	NOISE AND VIBRATION	24
6.6	FLORA AND FAUNA	25
6.7	HERITAGE	25
6.8	UTILITIES	25
6.9	BCA AND FIRE ENGINEERING	25
6.10	WASTE	25
6.11	OPERATIONS	25
6.12	CONSTRUCTION	25
6.13	CUMULATIVE IMPACTS	25
6.14	SUITABILITY OF SITE FOR DEVELOPMENT	26
6.15	ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT.....	26
6.16	THE PUBLIC INTEREST.....	26
PART G	CONCLUSION	27

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

APPENDICES

- Appendix 1** Architectural Plans
- Appendix 2** Traffic Impact Assessment
- Appendix 3** Air Quality Assessment
- Appendix 4** Noise Emission Assessment
- Appendix 5** BCA Report
- Appendix 6** Dangerous Goods Assessment
- Appendix 7** Waste Management Plan
- Appendix 8** Quantity Surveyors Report

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART A PRELIMINARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd on behalf of Frasers Property Australia (the Applicant), and is submitted to the City of Canterbury Bankstown Council to support a Development Application for the proposed fit-out and use of the building at 15 Muir Road, Chullora (Lot 21, DP860283 and Lot 374 in DP1084113).

The proposed development specifically involves the fit-out and use of a warehouse, distribution and food processing facility, to enable the site to operate as a food processing, storage and distribution facility. The proposed fit-out specifically entails the construction of cool rooms, and a seafood processing area. This Development Consent is sought for the fit-out and use only, with the base build and bulk earthworks proposed under previous applications.

The proposed fit-out and use subject to this Development Application is consistent with the previous Development Applications for the site which entailed demolition, site clearance, and bulk earthworks. Furthermore, the base build DA, which is currently under assessment by Council, seeks to construct a warehouse and distribution facility to accommodate the fit-out and use proposed subject of this DA.

The proposed fit-out and use is consistent with surrounding land uses in the West Central Industrial Belt and will contribute to the efficient use of employment lands for employment-generating development.

The proposal is located on land that is zoned IN1 General Industrial and is within the Canterbury Bankstown Local Government Area (LGA). As the Capital Investment Value is less than \$20 Million, the proposal will be determined by City of Canterbury Bankstown Council.

This SEE provides an assessment of the proposal against the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* (as amended). The relevant planning instruments assessed include *Bankstown Local Environmental Plan 2015* (BLEP2015) and *Bankstown Development Control Plan* (BDCP2015).

This SEE describes the site and proposal, provides relevant background information and responds to the proposed development and use in terms of the relevant matters set out in relevant legislation, environmental planning instruments and planning policies.

The structure of the SEE is as follows:

- **Part A** Preliminary
- **Part B** Site Analysis
- **Part C** Proposed Development
- **Part D** Legislative and Policy Framework
- **Part E** Likely Impacts of the Development
- **Part F** Conclusion

Based on the assessment undertaken, it is recommended that Council's favourable consideration be given.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART B DEVELOPMENT & PLANNING HISTORY

2.1 PREVIOUS APPLICATIONS

The relevant Development Consents which relate to the site are summarised as follows:

Table 1: Previous Approvals – 15 Muir Road Chullora

Application No.	Date of Approval	Description
DA-897/1994/2		Approval for waste management centre including a transfer station, recycling and green waste processing and construction and demolition waste handling facility.
DA-1219/2000		Variation to approved tonnage limit, bulky goods sale from premises, installation of paper compactor, and adaptation and use of a building for temporary storage of recycled paper.
DA-1243/2005	21 March 2006	Use of Premises for Truck and Plant Equipment Auctions.
DA-409/2013	18 September 2013	Acceptance, Treatment, Processing and Off-Site Disposal of Asbestos and General Building Waste at Existing SITA Waste Recycling Facility.
DA-169/2014	Withdrawn	Construction and Use of Truck Maintenance Area, Office Buildings and Associated Car Parking Areas Under the Provisions of Clause 12 of the Bankstown Local Environmental Plan 2001.
DA-105/2016	2 August 2016	Subdivision of Lot 21 into two (2) separate lots including construction of access driveway, weighbridges and the office on proposed Lot 2 and demolition of existing structures and buildings on proposed Lot 1.
DA-1270/2016	Currently under assessment	Demolition, site clearance and bulk earthworks intended to provide a suitable platform for the warehouse and distribution facility.
DA-7/2017	Currently under assessment	Construction of a warehouse and distribution facility, with ancillary office, truck workshop, truckwash and pallet storage area, loading areas, car parking, site landscaping and signage.

The fit-out and use proposed under the subject DA is consistent with this previous development application for the site.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART C SITE ANALYSIS

3.1 SITE LOCATION & EXISTING CHARACTERISTICS

The site is identified as 15 Muir Road, Chullora, being legally described as Lot 21, DP860283 and Lot 374 in DP1084113.

Existing attributes of the site are noted as follows:

- The site affords an area of 15.16 hectares and exhibits a primary street frontage to Muir Road to the north.
- The current use of the site is for the SUEZ Resource Recovery Park. As a result of the development SUEZ will continue to occupy the southern portion of the lot under a 20 year lease agreement with Frasers Property.
- Vehicle access to the site for both trucks and cars is provided from Muir Road with access to the various areas of the site including loading and car parking facilitated via internal access driveways.
- In its existing state the site comprises four (4) main warehouses as well as several smaller detached sheds, hardstand, service vehicle articulation areas and other ancillary structures, all associated with the former use of the site for SUEZ's waste and recycling operations. It is noted that some of these existing structures will be demolished under DA-105/2016.
- Vegetation on the site comprises of scattered Urban native and Exotic vegetation adjacent to the site boundaries, internal roads and Cooks River tributary, as well as a patch of Cooks River/Castlereagh Ironbark Forest in the north-western portion of the site.

The site is affected by a number of easements and services including:

- An electrical easement which traverses the site in a north to south direction, located on the eastern portion of the lot.
- Sewer easement line which traverses the site in a north to south direction, located on the eastern boundary.

Whilst the above description relates to the entirety of the site described as 15 Muir Street, it is noted that this DA relates only to the north-eastern portion of the broader site (60,305m²).

The area surrounding the site is industrial in character being dominated by warehousing and industrial facilities used for manufacturing, warehousing and distribution. Land uses located to the north of the site, on the opposite side of Muir Road, include Volkswagen and Skoda offices.

Importantly, the surrounding context also comprises major transport infrastructure including Muir Road, Hume Highway and an extensive network of local streets and regional roads. This established road network contributes to the identification of the site as a logical and highly accessible location for industrial facilities.

The site is also in reasonable proximity of public transport including Birrong train station and Regents Park train station (3km by road) providing services on the T2 Airport, Inner West and South Line and the T3 Bankstown Line. Bus stops are also located along Muir Road in direct proximity of the site and provide connections to Bankstown, East Hills and Lidcombe.

The site and the surrounding context are shown in **Figures 1** and **2** below.

Statement of Environmental Effects

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15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

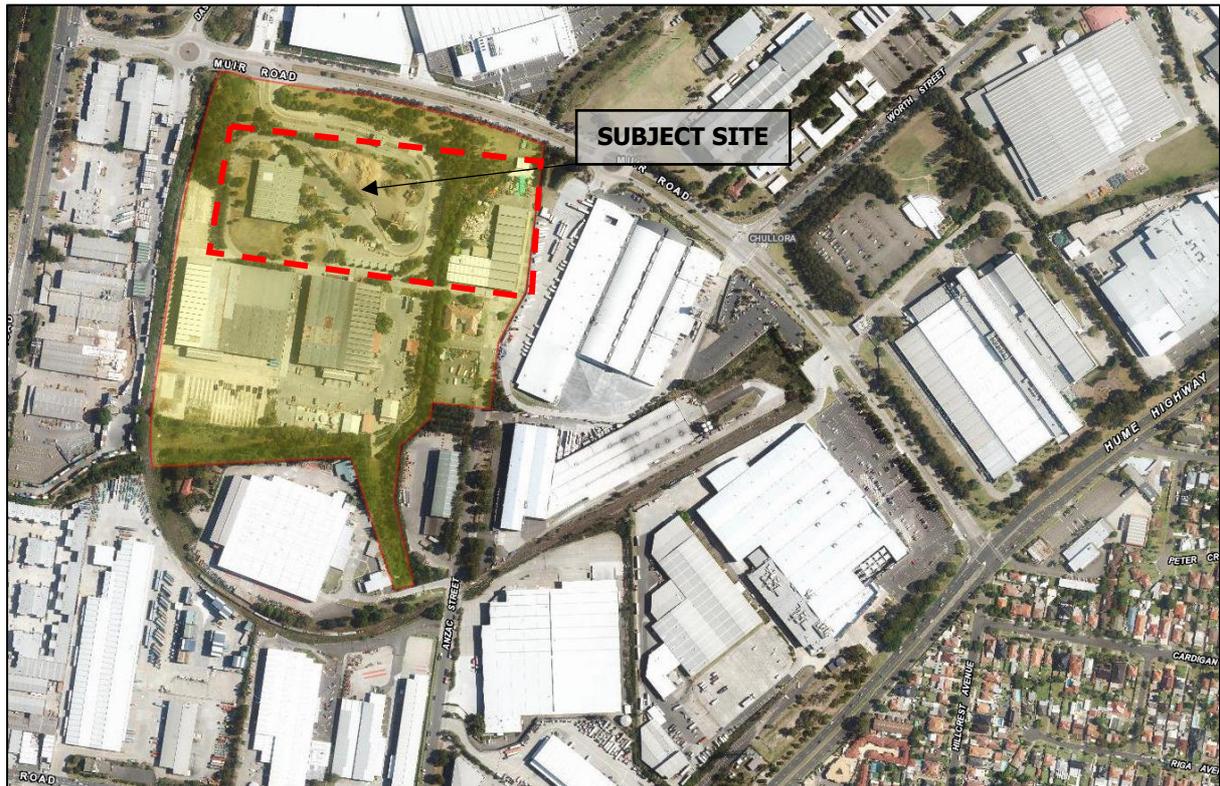


Figure 1. Subject Site and Surrounding Development (Six Maps 2017)

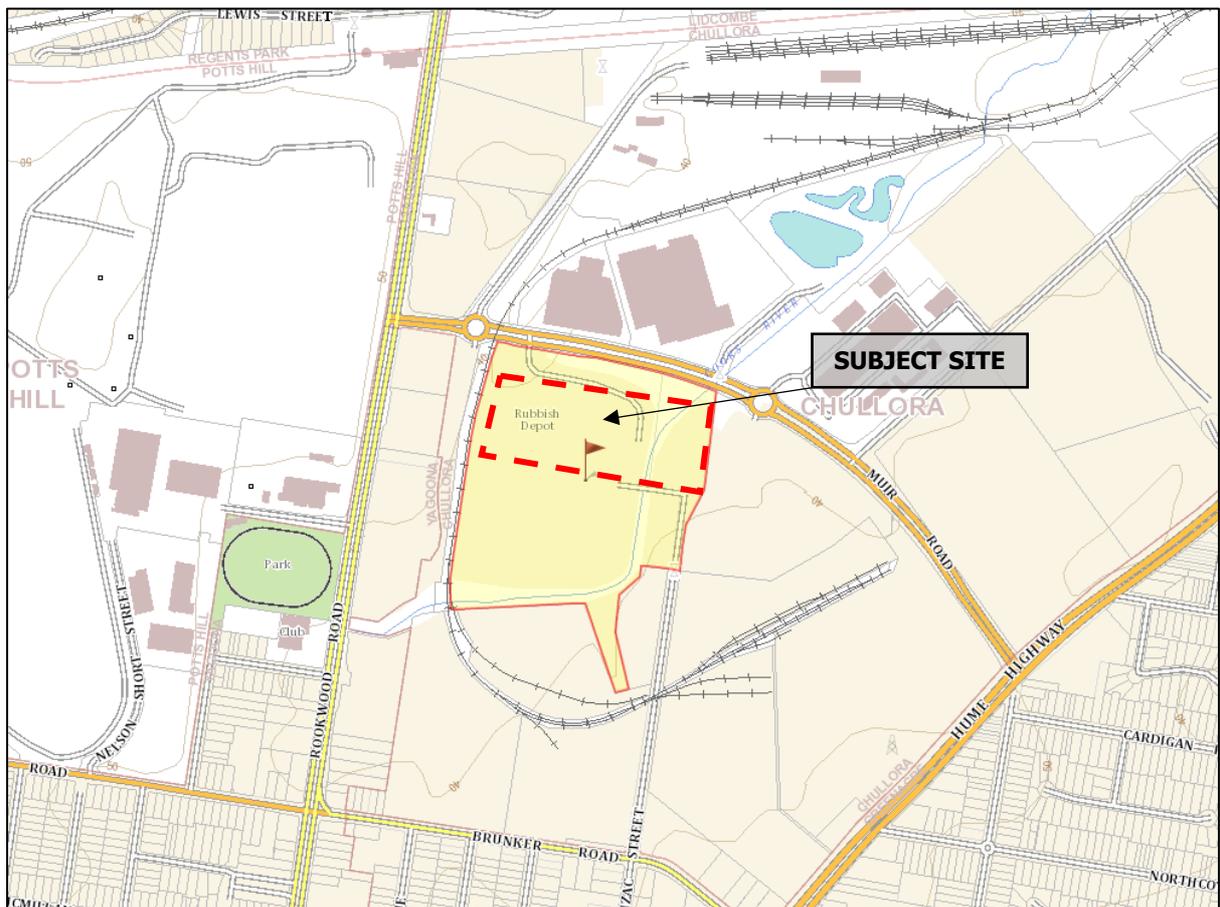


Figure 2. Subject Site and Surrounding Context (Six Maps 2017)

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

3.2 LOCAL CONTEXT

The site forms part of The West Central Industrial Belt which stretches from Chullora to Smithfield and is identified as an area that will continue to contribute to the future economic success of the West Central Subregion. The site is located within the portion of the West Central Industrial Belt described within the Draft Bankstown North Central Local Area Plan as the 'Employment Lands Precinct'. The precinct includes over 245ha comprising of the Chullora Technology Park, Potts Hill Business Park and Chullora Industrial Precinct.

The site specifically is included within the aforementioned area described as the Chullora Technology Park (**Figure 3** below). The Technology Park provides over 12% of the total employment across the City of Bankstown and is described as 'the hub for printing manufacturing, transport, retail/wholesale trade, education and training'.



Figure 3. North Central Local Area Map

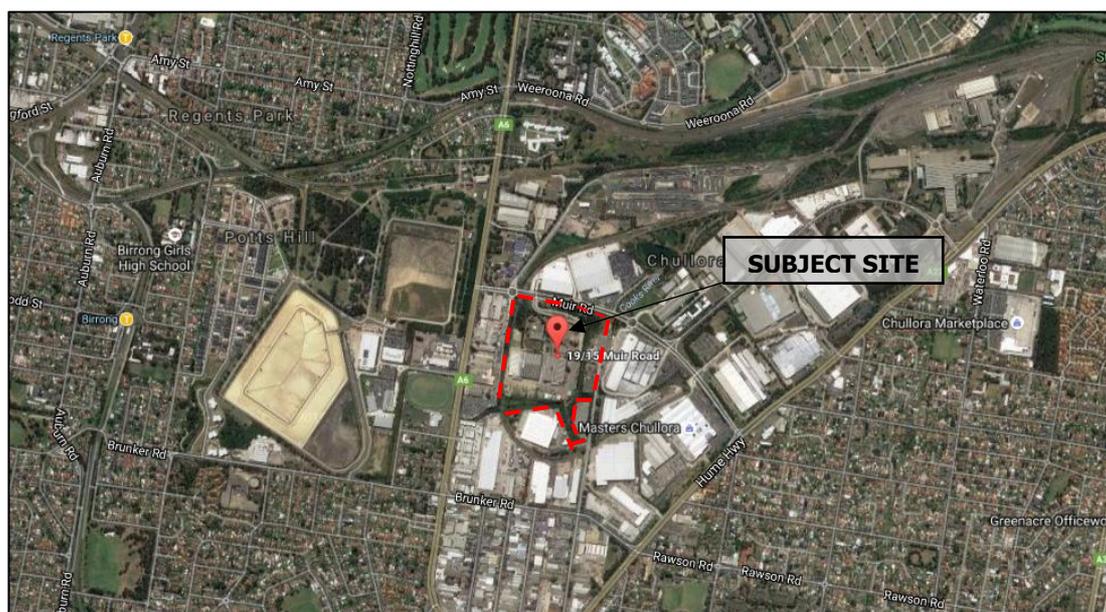


Figure 4. Local Context (Near Map 2017)

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

3.3 REGIONAL CONTEXT

The subject site is located approximately 20km to the south west of the Sydney CBD, within the suburb of Chullora and the Bankstown Local Government Area (LGA). The site is approximately 3.5km from the Bankstown city centre and 11km from Parramatta CBD.

The region including Chullora and Bankstown plays an important role in Sydney's economy through the provision of manufacturing and warehousing employment centres. Recently there has been significant employment growth in the subregion which has been above average compared to other areas within the Sydney metropolitan region. This trend is expected to continue with further employment growth and housing planned within Parramatta and Homebush and the adjacent Local Government Areas (LGAs).

The precinct is located adjacent an area earmarked within 'A Plan for Growing Sydney' as part of the 'Enterprise Corridor' which stretches from Bankstown to Liverpool and is designed to attract investment and stimulate employment generating development aligned with infrastructure.

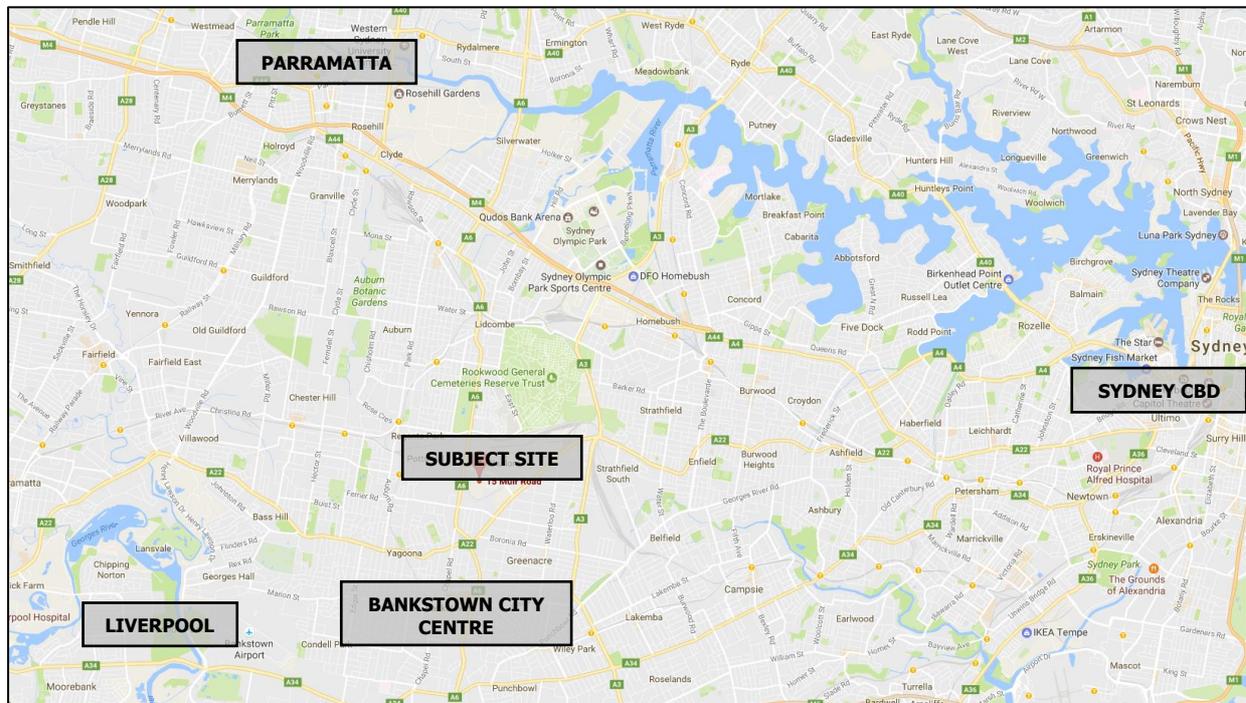


Figure 5. Local Context (Near Map 2017)

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART D PROPOSED DEVELOPMENT

4.1 AIMS AND OBJECTIVES OF THE PROPOSAL

This Development Application seeks to facilitate the fit-out and use of a warehouse, distribution and food processing facility for food processing, storage and distribution. The following objectives have been identified as forming the basis of the proposed development:

- Enable a use which meets the proposed occupant's operational needs;
- Ensure minimal environmental and amenity impact;
- Provide an internal layout which meets the functionality requirements of the proposed use;
- Support employment generating land uses; and
- Ensure development is compatible with surrounding development and the local context.

The proposal is considered to meet the objectives outlined above as it enables an efficient use of the facility which is consistent with the context of the site, whilst also serving to support employment generating land uses.

4.2 DESCRIPTION OF THE PROPOSAL

The proposal seeks approval for the fit-out and use of the site for warehouse, distribution and food processing. The specific details of the proposal are summarised in **Table 2**.

Table 2. Proposed Development Particulars	
Development Particular	Proposed
Site and Warehouse Details	<p><i>Total Site Area</i></p> <ul style="list-style-type: none">▪ 60,305m² <p><i>Total Building Area</i></p> <ul style="list-style-type: none">▪ 22,565m² <p><i>Warehouse GFA</i></p> <ul style="list-style-type: none">▪ 17,955m² <p><i>Office GFA</i></p> <ul style="list-style-type: none">▪ Main Office – 1,800m²▪ Warehouse office – 800m²▪ Seafood office – 443m² <p>Total office area – 3,080m²</p>
Use	<p><i>Proposed Use</i></p> <p>The proposal seeks consent for the use of a facility for food processing, storage and distribution. The proposed use is permitted as 'warehouse and distribution' and 'light industry', and is listed to be permissible with consent under the 'IN1 General Industrial' zone pursuant to the provisions of the BLEP2015.</p>
Construction	<p><i>Main Warehouse Area</i></p> <ul style="list-style-type: none">▪ Powder coated metal insulated sandwich wall panels;▪ High bay racking;▪ Low block storage;▪ Doors and doorways to each cool room. <p><i>Seafood Processing Area</i></p> <ul style="list-style-type: none">▪ Oyster waste area;

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

	<ul style="list-style-type: none">▪ Staging area;▪ 2 x Oyster room with adjoining cool room, airlock and chiller;▪ Seafood freezer;▪ Raw materials store room;▪ Cold storeroom;▪ Link area;▪ Finished goods chiller;▪ Ice room;▪ 2 x Fish prep area;▪ Wash down room;▪ Gutting room;▪ Waste room.
Parking	The site maintains 239 car parking spaces and 68 trailer parking spaces.
Operational Details	The facility seeks to operation 24 hours a day, 7 days a week. A total of 226 staff will be employed to operate the proposed facility.

The works proposed for the main facility area includes the construction of metal sandwich wall panels to create 6 separate storage rooms, which consists of a dry goods storage room, chiller room, freezer room, confectionary room, meat room and a general antechamber room. Each storage room contains several high bay racks and low block storage structures and will be set to a temperature specifically tailored to the use of each cool room. A forklift parking area is also proposed within the eastern section of the antechamber room.

The seafood processing area located in the south-east corner of the facility will consist of a number of chiller rooms and processing areas as outlined above, and will be used for the purpose of processing seafood products only, in preparation for distribution. The seafood processing area will operate in accordance with the relevant seafood processing requirements including the:

- *Food Act 2003 (NSW)*
- *Food Regulation 2015*, including relevant parts of the *Seafood Food Safety Scheme*
- *Food Standards Code*, including:
 - Chapter 1, Part 1.2 - Labelling and other Information Requirements
 - Standard 3.2.1 Food Safety Programs
 - Standard 3.2.2, Division 4 - Health and Hygiene
 - Standard 3.2.3 - Food Premises and Equipment
 - Standard 4.2.1 - Primary Production and Processing Standard for Seafood.
- NSW Food Safety Schemes Manual
- A documented food safety program that complies with HACCP system and guidelines

The fit-out of the ancillary office, battery charge room, and amenities located within the north-east corner of the facility have been proposed under DA-7/2017, and will be undertaken as part of the works subject to that Development Application.

A total of 239 car parking space and 68 trailer parking spaces will be provided within the site.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

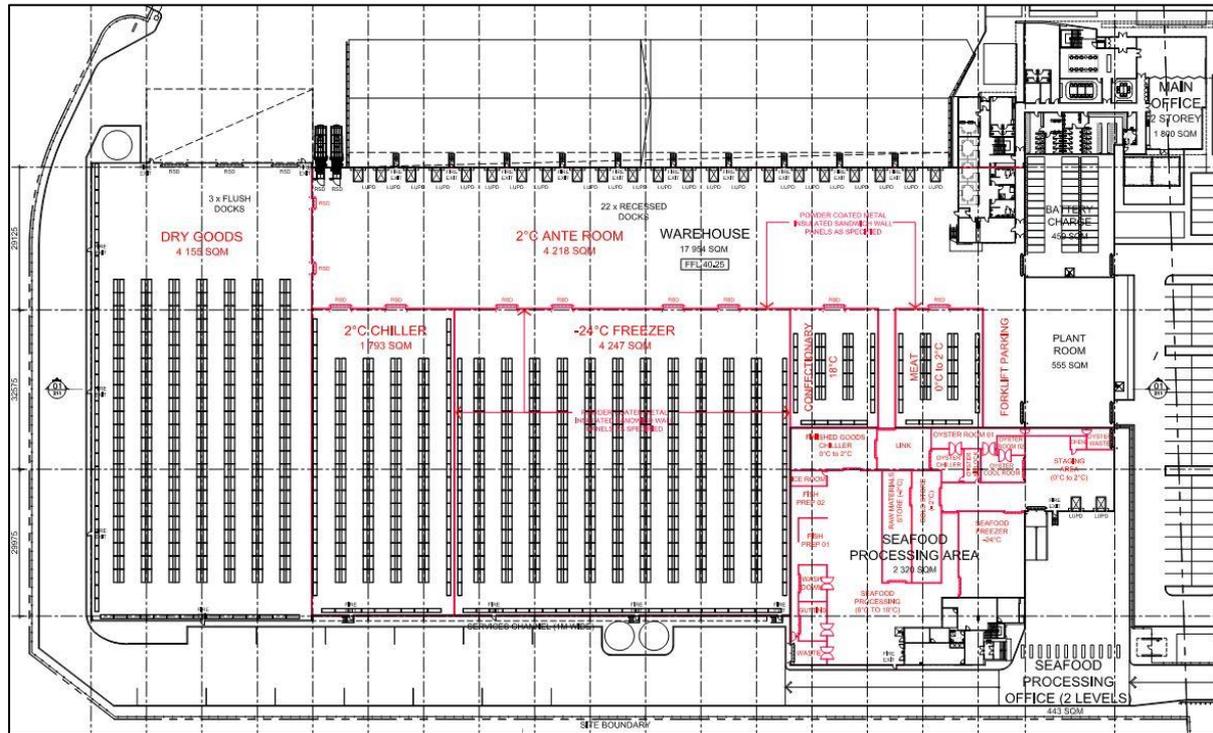


Figure 6. Proposed Layout Plan (Fraser's Property 2017)

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART E LEGISLATIVE AND POLICY FRAMEWORK

Section 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) sets out specific matters that Council is to take into consideration in the assessment and determination of development applications.

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development*

Strategic Planning Context

- *NSW 2021 : A Plan to Make NSW Number One*
- *A Plan for Growing Sydney*
- *Draft South District Plan*

Local Planning Context

- *Bankstown Local Environmental Plan 2015*
- *Bankstown Development Control Plan 2015*

This planning framework is considered in detail in the following sections.

5.1 STATE PLANNING CONTEXT

5.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the overarching governing statute for all development in NSW. The subject application is made pursuant to Section 78A(1) which states:

- (1) *A person may, subject to the regulations, apply to a consent authority for consent to carry out development.*

5.1.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Section 4(1) – Designated Development

Section 4(1) of the *Environmental Planning and Assessment Regulation 2000* (the Regulations) states that development described in Part 1 of Schedule 3 is declared to be Designated Development for the purposes of the Act.

The proposal being for the fit-out and use of a warehouse for seafood processing, and meat and seafood food storage and distributing does not trigger the designated development thresholds.

5.1.3 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."

The proposal as submitted to Council does not trigger any thresholds in respect of the POEO Act.

5.1.4 STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

Dangerous goods are proposed to be stored, however the quantities are below the triggers under *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* and do not warrant further consideration in this respect, as confirmed within the Dangerous Goods Assessment prepared by Blackie Mendham and provided at **Appendix 6**.

More specifically, the following dangerous goods are proposed to be stored:

Class	Description	PG	Quantity	SEPP 33 Threshold
2.1	Aerosols	-	< 9,000 kg (LPG)	Total 6 tonne
	Cylinders	-	< 500 kg (LPG)	
2.3 (8)	Anhydrous Ammonia	-	1,500 kg (1.5 tonne)	5 tonne
8	Corrosives	III	< 11,500 kg (incl. 10,000kg batteries and 1,500kg ammonia)	50 tonne

Further to the above, the report confirms that the number of vehicle movements involving DGs does not exceed the SEPP 33 threshold limits. The cumulative annual vehicle movements for Class 2.1 DGs totals 260 which is less than the SEPP 33 referral threshold of >500, and similarly the 5 peak weekly vehicle movements is less than the >30 referral threshold. It is noted that Ammonia (Class 2.3 (8)) and Batteries (Class 8) are not transported to and from site as these materials form part of the operational systems at the site.

Additionally, review of the warehouse operations indicates that there are no processes that would result in the manufacture, production or transfer of materials in a form that may result in the release of bulk materials at the site or that could result in odour generation or excessive noise. In summary, there is no potential for "offensive" operations at the site and therefore SEPP33 does not apply in this case.

5.2 STRATEGIC PLANNING CONTEXT

5.2.1 NSW 2021: A PLAN TO MAKE NSW NUMBER ONE

NSW 2021 was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The strategies outlined in the Plan include:

- *Rebuild the economy*
- *Return quality services*
- *Renovate infrastructure*
- *Strengthen our local environment and communities*
- *Restore accountability to government*

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

The Chapter on Rebuilding the Economy is most relevant to the proposal as it provides objectives for achieving growth and prosperity. The plan makes a commitment that support large and small businesses and describes the importance of the private sector's role in maintaining and creating highly productive jobs to underpin the State's ability to realise higher standards of living for all people.

The proposed development will positively contribute to the economy and support the continued viability of industry in NSW through the provision of employment generation within the Chullora Technology Park Corridor.

5.2.2 A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney was introduced by the NSW DP&E in December 2014 and replaced the Metropolitan Plan for Sydney 2036. A Plan for Growing Sydney supports and implements the NSW 2021 State Plan, which identifies restoring economic growth as its number one priority.

The plan presents a strategy for accommodating Sydney's future population growth. It balances the need for more housing, but also cultivates the creation of strong and resilient communities within a highly liveable city whilst protecting the natural environment and biodiversity.

A Plan for Growing Sydney will also provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth. Specifically, the Bankstown LGA is located within the West Central subregion, earmarked for significant infrastructure investment and intensive growth over the next 20 years. The strategy seeks to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal), including around priority precincts, established and new centres, and along key public transport corridors.

The proposal aligns with the strategic directions of the Plan through the provision of employment-generating land uses within an industrial area.

5.2.3 DRAFT SOUTH DISTRICT PLAN

The draft South District Plan forms the overarching strategy for future planning in the area in order to foster natural beauty, diverse communities, access to jobs, housing choice and affordability, in light of population growth and demographic change.

The Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. The priorities and actions relevant to the subject site, wider Chullora and Bankstown areas and proposal is discussed as follows.

Productivity Priorities

The South District is identified as a focus for retail and commercial investment, employment and urban services land and centres with access to local jobs and services. Whilst not specifically identified within the District Plan as a centre, the site and Chullora provide the opportunity to contribute to job targets for greater Sydney with a forecast demand of 817,000 additional jobs by 2036, and the Bankstown 'District Centre', with job targets increasing from 12,100 in 2016 to 17,000 in 2036 under the baseline scenario or 25,000 under the higher target. Chullora itself is identified as one of the South District's top 10 employment and urban services land precincts providing a total of 211.7ha of land (21.1ha of which are currently undeveloped).

In accordance with the priorities for employment and urban services land, the proposal will preserve the role and function of these strategic employment lands, through the employment of 226 staff to operate the warehouse and distribution facility.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

Liveability Priorities

Investments in transport infrastructure including the Sydney Metro provides opportunities to renew areas around stations with new types of housing provided close to public transport. Additional housing to improve diversity and affordability coordinated with transport, centres and services, is required in response to population growth and ageing.

By providing for employment generating land uses, the proposal represents a development that is highly compatible with its surrounds and will in no way compromise the amenity and liveability of the District. Rather, by providing employment generating activities, the proposal will support the provision of jobs close to where people live therefore promoting liveability.

Sustainability Priorities

The District's landscapes, waterways, riparian corridors and biodiversity should be protected and enhanced and efficiency and resilience promoted.

The proposal relates to the fit-out and use of facility within an existing industrial site within an established industrial area, and will not adversely impact on any natural areas of significance.

5.3 LOCAL PLANNING CONTEXT

5.3.1 BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015

The site is located within the Canterbury Bankstown Local Government Area and is subject to the controls of *Bankstown Local Environmental Plan 2015* (BLEP).

Relevant permissibility and development standards are summarised in the subsequent sections of this SEE.

Permissibility

The site is located within the IN1 General Industrial Zone under *BLEP2015*.

The objectives of the IN1 General Industrial Zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.*

The proposal is permissible with consent and consistent with the objectives of the IN1 General Industrial Zone, as it encourage employment opportunities and serves to support and protect the use of the land for industry purposes.

Within the IN1 zone the following are permissible without consent:

Nil.

Within the IN1 zone the following are permissible with consent:

*Agricultural produce industries; Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental protection works; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; **Light industries**;*

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

*Neighbourhood shops; Places of public worship; Plant nurseries; Recreation areas; Roads; Sex services premises; Signage; Storage premises; Take away food and drink premises; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; **Warehouse or distribution centres**; Wholesale supplies*

Within the IN1 zone the following are prohibited:

Any development not specified in item 2 or 3.

The proposed use of the site is characterised as 'Warehouse or Distribution Centre'. Pursuant to BLEP2015, a 'Warehouse and Distribution Centre' is defined as:

a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

The proposed use of the site for food processing is characterised as 'light industry'. Pursuant to BLEP2015, a 'light industry' is defined as:

a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,*
- (b) home industry.*

In accordance with the Air Quality Report provided in **Appendix 3**, and the Noise Impact Assessment provided in **Appendix 4**, the proposed use of the site for warehouse, distribution and food processing will not result in and adverse impacts on the amenity of the locality in relation to the above mentioned factors.

As noted above, a 'Warehouse and Distribution Centre' is noted to be permissible with consent under the IN1 zone.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

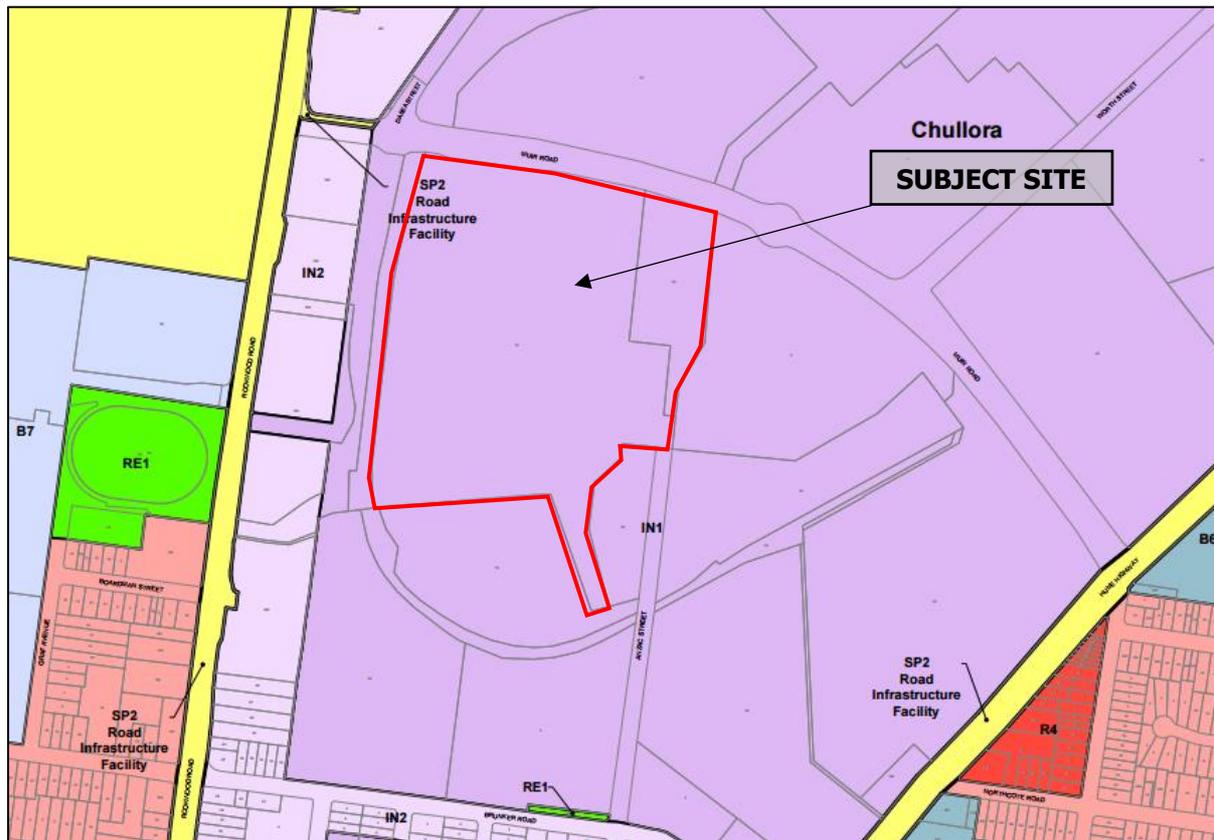


Figure 7. Zoning Map (NSW DP&E 2016)

Lot Size

No subdivision is proposed under this Development Application.

Height of Buildings

No modifications to the height of the building are proposed under this Development Application.

Floor Space Ratio

No modifications to the FSR are proposed under this Development Application.

Land Reservations

The site is not identified as being subject to any land reservations in the relevant BLEP2015 map.

Heritage

The site has not been identified as containing an item of local or state heritage significance and is not identified within a heritage conservation area. Neither is the site in direct proximity of any items or areas of heritage significance.

Acid Sulfate Soils

The site is not identified as comprising any acid sulphate soils.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

Earthworks

All earthworks required on the site have been proposed under the submitted earthworks DA.

Terrestrial Biodiversity

There are not impacts on vegetation under this Development Application.

Riparian Land and Watercourses

There are no impacts to riparian lands or watercourses under this Development Application.

5.4 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the proposed development.

5.5 BANKSTOWN DEVELOPMENT CONTROL PLAN 2015

The provisions of Bankstown *Development Control Plan 2015* (BDCP) that are relevant to the proposal are addressed below:

Table 1. Bankstown Development Control Plan 2015	
Control	Proposed
Part A2 – Corridors	
Hume Highway Corridor Precinct 6 Chullora Technology Park	The proposal achieves and satisfies the outlined objectives outlined, and is compatible with the desired character and role of the corridor.
Part B3 – Industrial Precincts	
Section 4 – Environmental Management	
Acoustic privacy 5.1 Development must: (a) consider the Industrial Noise Policy and the acoustic amenity of adjoining residential zoned land; and (b) may require adequate soundproofing to any machinery or activity that is considered to create a noise nuisance.	All proposed works associated with the fit out of facility are internal to the facility on the subject site, and therefore any noise generated as a result of the works are seen to be negligible in consideration of the sites industrial context. The Noise Impact Assessment provided in Appendix 4 has assessed the proposed operations of the site and confirms that the site: <i>Will not have any detrimental impact on surrounding receivers, including residential, commercial and industrial receivers</i> Adequate mitigation measures will be implemented to ensure the proposed use has no detrimental impacts on the surrounding uses.
Pollution control 4.2 Development must adequately control any fumes, odour emissions, and potential water pollutants in accordance with the requirements of the relevant public authority.	The Air Quality Assessment provided in Appendix 3 has assessed the potential impacts of the sites operations on the surrounding properties. The results of the assessment found that: <i>the operation would not result in any significant changes to the air quality environment or exceedances of air quality</i>

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

criteria with all relevant air quality criteria being achieved with the exception of annual average PM2.5 concentrations.

Furthermore, the report confirms that the existing:

PM2.5 concentrations already exceed the annual average criterion in the region and the operation of the Proposal is shown to result in low contributions to the criterion. The Proposal would not be the major source of particulate matter in the region.

Adequate mitigation measures will be implemented to ensure the proposed works and use do not result in any adverse impacts within the locality.

Section 6 – Chullora Technology Park

The site is identified within the Chullora Technology Park and in accordance with BDCP2015 objectives for Section 6, the proposal is compatible to the site and will not result in any impacts to natural or built Heritage Items.

Similarly, mitigation measures relating to the protection of existing trees, stormwater management and erosion and sediment control have been addressed under previous development applications.

Part B4 – Sustainable Development

The proposal has been designed in accordance with the principles of sustainable development and incorporates energy and water efficient devices to promote sustainability. Specifically, rainwater tanks (1.5ML capacity) have been provided, a 5 star green star rating achieved and 750 KW of solar panel power generated.

Part B5 – Parking

Pursuant to Part B5 of the BLEP2015, Warehouse or Distribution Centres are to provide 1 car space/300m² GFA plus 1 space/40m² for ancillary offices. Alternatively, 1 space/100m² GFA is required for industry (including ancillary offices). For the proposed facility, this results in a requirement for 142 spaces or 226 spaces if it is defined as industry. The 239 car parking spaces proposed therefore provides a surplus of parking in order to adequately service the site and avoid any reliance on street parking. This car parking provision includes 3 disabled spaces also in accordance with the BDCP2015 (1 space/100 spaces required).

All car parking, service bays, access driveways and internal circulation areas have been designed in accordance with BDCP2015 and relevant Australian Standards. Further detail is provided within the Traffic Report at **Appendix 2**.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

Part B13 – Waste Management

Waste generated through the carrying out of the proposed construction and as a result of the operations of the build will be managed in accordance with the Waste Management Plan at **Appendix 7**. Waste will be minimised and materials reused or recycled where feasible.

5.6 CONTRIBUTIONS

The Bankstown Section 94A Development Contributions Plan 2009 applies to the site. Therefore, developer contributions will be paid to Canterbury Bankstown Council in accordance with their policy and subject to any credits applying to the land for existing development.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART F ENVIRONMENTAL ASSESSMENT

Pursuant to Section 79C of the *Environmental Planning & Assessment Act 1979*, the following matters have been addressed.

6.1 CONTEXT & SETTING

The proposed fit-out and use of the facility for warehouse, distribution and food processing is consistent with the intended development of land, and the development of the Chullora Technology Park. The proposal will enable the efficient and sustainable use of the site for employment generating land uses within designated employment lands. Therefore, through the preservation of industrial land uses and the provision of significant employment, the proposal will benefit the local and regional economies and populations.

The proposed use is compatible with surrounding land uses, and the intended use of the warehouses to be developed on the vacant land within the vicinity of the site, which has been earmarked for employment-generating land uses. The site is not located in proximity of any residential development or other sensitive land uses and therefore will not exhibit any adverse amenity impacts.

The proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity or operations of any adjoining sites. Therefore, the proposal is considered compatible with the site context.

6.2 TRAFFIC & TRANSPORT

A Traffic Impact Assessment Report has been prepared by Ason Group and is provided at **Appendix 2**. The report addresses the relevant traffic, transport and parking requirements of the site, including compliance with relevant State and Local Government controls and Australian Standards.

Traffic generation has been dealt with under the base build DA. Based on forecast traffic generation rates for industrial estates and business parks, the proposal is expected to generate 0.52 trips per 100m² GFA during the morning peak and 0.56 trips per 100m² GFA during the afternoon peak. Based on the GFA of the proposed development this translates to 117 vehicles/hour during the morning peak (94 in and 23 out), and 126 vehicles/hour during the afternoon peak (25 in and 101 out). The distribution of this traffic to the external road network results in all surveyed intersections continuing to operate with acceptable delays and associated Level of Service of D or better.

In terms of car parking, the application of BDCP2013 parking rates (1 space/300m² warehouse GFA, 1 space/100m² industrial GFA (including office area) and 1 space/40m² office GFA) to the proposed development results in a requirement for 142 spaces for warehousing or 226 spaces for industry. The proposal provides a total of 239 car parking spaces representing a surplus in order to satisfy the requirements of the end-user which is anticipated to employ 226 persons on the site. Additionally accessible parking is capable of being provided at a rate of 1 space/100 spaces in accordance with the BCA.

Access to the site will be provided via four (4) driveways in order to ensure all vehicles may enter and exit the site in a forward direction, to facilitate one-way circulation through the site for heavy vehicles and to avoid conflict between heavy vehicles, light vehicles and pedestrians. Specifically access arrangements include:

- Western driveway – egress for commercial vehicles to be shared with the adjacent SUEZ Resources Recovery Park;
- Truck egress from the commercial vehicle hardstand;
- North-eastern driveway – combined entry/exit for cars;
- Eastern driveway – truck access only.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

All site access, internal circulation, car parking and service areas have been designed in accordance with Council's DCP and relevant Australian Standards. This is demonstrated through Swept Path Analysis provided within **Appendix 2**.

The Traffic Report furthermore confirms that:

the proposal is supportable on traffic planning grounds and will not result in any adverse impacts on the surrounding road network or the availability of on-street parking.

6.3 DANGEROUS GOODS

Dangerous goods are proposed to be stored on the site, but as confirmed in the Dangerous Goods Assessment (**Appendix 6**) and summarised in **Table 6**, quantities are below the triggers under *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*.

Class	Description	PG	Quantity	SEPP 33 Threshold
2.1	Aerosols	-	< 9,000 kg (LPG)	Total 6 tonne 10 tonne
	Cylinders	-	< 500 kg (LPG)	
2.3 (8)	Anhydrous Ammonia	-	1,500 kg (1.5 tonne)	5 tonne
8	Corrosives	III	< 11,500 kg (incl. 10,000kg batteries and 1,500kg ammonia)	50 tonne

Further to the above, the report confirms that the number of vehicle movements involving DGs does not exceed the SEPP 33 threshold limits. The cumulative annual vehicle movements for Class 2.1 DGs totals 260 which is less than the SEPP 33 referral threshold of >500, and similarly the 5 peak weekly vehicle movements is less than the >30 referral threshold. It is noted that Ammonia (Class 2.3 (8)) and Batteries (Class 8) are not transported to and from site as these materials form part of the operational systems at the site.

Additionally, review of the facility operations indicates that there are no processes that would result in the manufacture, production or transfer of materials in a form that may result in the release of bulk materials at the site or that could result in odour generation or excessive noise. In summary, there is no potential for "offensive" operations at the site and therefore SEPP33 does not apply in this case.

6.4 AIR QUALITY

The impacts of the proposed use on air quality have been considered within the Air Quality Impact Assessment prepared by Northstar Air Quality and provided at **Appendix 3**. It is noted that the assessment considered both the impacts of the development during construction (subject to DA7/2017) and operation subject to this development application.

The results of quantitative dispersion modelling indicate that the operation would not result in any significant changes to the air quality environment or exceedances of air quality criteria. An exception occurs for annual average PM2.5 concentrations, as these already exceed the annual average criterion in the region and the operation of the Proposal is shown to result in low contributions to the criterion. The Proposal would not be the major source of particulate matter in the region.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

6.5 NOISE AND VIBRATION

The Noise Impact Assessment Provided in **Appendix 4** has assessed the predicted noise emissions associated with the operations of the facility, including vehicle movement, internal distribution and external loading dock activities. The impacts have been considered under DA-7/2017 as per the below.

The Operational Noise Criteria for the operation of the future facility have been formulated based on the Industrial Noise Policy, THSC and OEH criteria, and are summarised in **Table 7**.

Table 7. Operational Noise Criteria							
Noise Source	Governing Criteria	Receiver Location	Time of Day	Background Noise Level L90	Intrusive Criterion Leq 15min	Amenity Criterion Leq Time Period	Noise Objective dB(A)Leq 15min
Operation of the facility	INP	Residence	Day	50	55	55	55
			Evening	49	54	45	45
			Night	40	45	40	40
	INP	Commercial Receiver	When in use			65	65
	INP	Residential Receiver	When in use			70	70

Predicted noise levels for the various noise sources associated with the operation of the facility are summarised in **Table 8**.

Table 8. Predicted Noise Levels					
Worst Case Noise Receiver	Predicted Noise Level dB(A) Leq 15min	Noise Emission Criteria dB(A) Leq 15min	Complies		
Vehicle Movements					
Closest Residential Receiver	Less than 30	Day = 55, evening = 45, night = 40	Yes		
Commercial Receivers	Less than 60	65	Yes		
Industrial Receivers	Less than 60	70	Yes		
Loading Dock Operation					
Closest Residential Receiver	Less than 30	Day = 55, evening = 45, night = 40	Yes		
Commercial Receivers	Less than 50	65	Yes		
Industrial Receivers	Less than 50	70	Yes		
Internal Warehouse Activities					
Residential Receivers	Less than 30	Day = 55, evening = 45, night = 40	Yes		
Commercial Receivers	Less than 40	65	Yes		
Industrial Receivers	Less than 40	70	Yes		

As outlined in the above tables, the assessment of the predicted noise levels associated with the operations of the facility are found to be compliant. The Noise Impact Assessment furthermore confirms that:

noise impacts from the general operation of the facility will not have any detrimental impact on surrounding receiver, including residential, commercial and industrial receivers.

The site is not in proximity of any sensitive land uses including residential development and therefore the proposed use will not adversely impact on the amenity of any sensitive land uses.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

6.6 FLORA AND FAUNA

There is no impact on Flora and Fauna under this subject Development Application.

6.7 HERITAGE

The proposal as submitted to Council will have no unacceptable impact in respect of heritage. The site is not identified as containing any heritage significance nor is it within proximity of any heritage items or heritage conservation areas.

6.8 UTILITIES

All utility infrastructure is currently existing and is capable of servicing the site.

6.9 BCA AND FIRE ENGINEERING

A BCA Statement has been prepared by Mckenzie Group and is provided at **Appendix 5**. The statement confirms that the review of the proposed fit-out plans has found the proposal to be:

capable of complying with the Building Code of Australia 2016.

6.10 WASTE

A Waste Management Plan is provided at **Appendix 7** and describes the volumes and types of waste anticipated to be generated by the proposed works and the operations of the site.

Where possible materials will be reused on-site, or otherwise transported to licensed recycling or disposal facilities.

6.11 OPERATIONS

The proposed operations of the site will entail the storage of meat products in preparation for distribution, as well the processing, storing and distribution of seafood products. The facility seeks to operate 24 hours a day, 7 days a week and will employ a total of 226 staff to operate the facility.

The proposed seafood processing operations will be undertaken in accordance with all relevant seafood processing regulations and requirements, as outlined in Section 4.2 of this report. The proposed operations are consistent with that of the locality and will not result in any adverse impacts to neighbouring developments or the wider industrial context.

6.12 CONSTRUCTION

All works on the site will be carried out in accordance with the conditional requirements of any consent issued. Appropriate measures will be undertaken to mitigate potential impacts from the development including dust, noise, odours, and traffic impact.

6.13 CUMULATIVE IMPACTS

No foreseeable cumulative impacts are to result from the proposal. Rather the proposed use of the warehouse for warehouse and distribution purposes is considered compatible and consistent with the sites industrial context and the industrial employment lands.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

6.14 SUITABILITY OF SITE FOR DEVELOPMENT

The site is located within an established industrial precinct and is zoned for general industrial use under the BLEP2015. The proposed fit-out and use will facilitate the use of the site for warehousing, distribution and food processing, which is consistent with the zoning of the site and the surrounding context.

Accordingly, the site is considered to be suitable for the proposed use and is consistent with the aims and objectives of the IN1 zone in that it seeks to facilitate future employment generating development that responds to the characteristics of the land and is compatible with surrounding land uses.

6.15 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT

No submissions have been received in relation to the proposed development. However, the applicant is willing to address any submissions, should they be received by Council.

6.16 THE PUBLIC INTEREST

The proposal will have no adverse impact on the public interest.

Through the provision of employment generating land uses, the proposal will contribute to serve the emerging Western Sydney Region.

Statement of Environmental Effects

Proposed Fit-Out and Use of a Warehouse, Distribution and Food Processing Facility
15 Muir Road Chullora (Lot 21, DP860283 & Lot 374 in DP1084113)

PART G CONCLUSION

The proposed fit-out and use of the building for warehouse, distribution and food processing on the site of 15 Muir Road, Chullora, is permissible with consent pursuant to *BLEP2015*. The proposal will facilitate a use of the site which is in accordance with the intended industrial use of land within the Chullora Technology Park.

This SEE provides an assessment of the proposal against the relevant environmental planning framework, including *BLEP2015*. The assessment finds that the proposal is consistent with the objectives and controls of the relevant instruments and policies. No significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed development. Rather, the proposal will provide for positive impacts, including facilitating the efficient and suitable use of industrial lands and the future generation of significant employment in the industrial sector.

In overview, it is considered that the proposal should warrant a positive assessment for the following compelling reasons:

- The proposal facilitates the development of the site for employment-generating uses through the provision of a facility for 24/7 use.
- Further to the above, the proposal will result in significant economic benefit deriving from the provision of jobs during the construction phase, and through supporting longer term employment generation associated with the operations of the facility, which this proposal specifically seeks to enable.
- The proposed use is highly compatible with surrounding land uses within the West Central Industrial Belt and positively contribute to the industrial character of this designated employment precinct.
- The proposed use of the facility is permitted with consent in the IN1 General Industrial zone pursuant to *BLEP2015*.
- The proposed development is consistent with the relevant provisions of *BLEP2015*.
- The proposal is consistent with the provisions of *BDCP2015*.
- The proposal is supportable on traffic and parking grounds as confirmed by the Traffic Impact Assessment prepared by a qualified Traffic Engineer.
- The proposed is consistent with the previous Development Applications for the site which have entailed bulk earthworks to facilitate suitable site levels, and the construction of the facility.

The proposal is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this report, the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed demonstrating that the proposed use is compatible with the surrounding land uses. Accordingly, it is recommended that Council support the proposal for a favourable determination.